

<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>			1. CONTRACT ID CODE	PAGE 1 OF 7 PAGES
2. AMENDMENT/MODIFICATION NO. <b>1</b>	3. EFFECTIVE DATE <b>Aug 26, 2008</b>	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)	
6. ISSUED BY NASA Acquisition Management Office/ DA20 John C. Stennis Space Center Stennis Space Center, MS 39529-6000 Chuck Heim (228) 688-3199		7. ADMINISTERED BY (If other than Item 6) <b>Same as block #6</b>		
8. NAME AND ADDRESS OF CONTRACTOR (No. Street, county, State and ZIP: Code)			(✓)	9A. AMENDMENT OF SOLICITATION NO. <b>NNS08259938R</b>
<b>TO ALL PROSPECTIVE BIDDERS</b>			X	9B. DATED (SEE ITEM 11) <b>July 30, 2008</b>
				10A. MODIFICATION OF CONTRACT/ORDER NO.
				10B. DATED (SEE ITEM 13)
CODE	FACILITY CODE			

**11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS**

☒ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers \_\_\_\_\_ is extended, ☒ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a) By completing Items 8 and 15, and returning one (1) copy of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATA SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and data specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

N/A

**13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.**

(✓)	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
	D. OTHER Specify type of modification and authority)

E. IMPORTANT: Contractor ☐ is not, ☐ is required to sign this document and return \_\_\_ copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

**CONTINUED ON PAGE 2**

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of person authorized to sign)		BY (Signature of Contracting Officer)	

1. The purpose of this amendment is to make the follow changes and to respond to the questions received for this solicitation.

2. Replace the U.S. Department of Labor, Davis Bacon General Wage Determinations Type: Building, No. MS080045, Dated 07/04/2008 referenced in Section J and found in Attachment C, with the new Attachment C wage determination No. MS080161, dated 08/22/2008. (3 Pages).

3. Add the following Clause to Section I of this solicitation.

<b>Clause No.</b>	<b>Date</b>	<b>Title</b>
<b>52.223-17</b>	<b>May 2008</b>	<b>AFFIRMATIVE PROCUREMENT OF EPA-DESIGNATED ITEMS IN SERVICE AND CONSTRUCTION CONTRACTS.</b>

4. Reference Section L, Clause L.9, Safety and Health Program, the first paragraph, (TRIT) is changed to read (TRIR).

5. The following questions were received, and responses are hereby provided as follows:

Question 1: We are a SDVO Small Business bidding as a prime contractor on the subject project. Our bonding capacity is \$15 million for single projects and \$30 million aggregate. I wanted to make sure I was clear on all proposal requirements, but specifically item

L.16 Small Business Utilization Factor. (a) Small Business Subcontracting Plan- I understand this to be required by Large Businesses Only, but items (b) and (c) under this item to be required by Small Businesses also. Could you please clarify these requirements?

Answer: Refer to the table in Section M, paragraph M1, c) Small Business Utilization Factor.

- a. Only Large Businesses are required to submit a Sub-contracting Plan.
- b. Large Business, Small Business as well as Small Disadvantaged Businesses that have waived the Price Evaluation Adjustment factor at 52.219-23 must submit their Sub contracting Goals by completing attachment H and returning with your proposal.
- c. Large Businesses, Small Businesses, as well as Small Disadvantaged Businesses that have waived the Price Evaluation Adjustment factor at 52.219-23 must submit their contract targets by completing the table in paragraph H-7 (a) titled "Small Disadvantaged Business Participation- Contract Targets" (OFFEROR FILL IN).

Question 2: Do I need to update my CCR and ORCA registration to reflect the NAICS code for this Project.

Answer 2: Yes, both your Central Contractor Registration (CCR) and On Line Representations and Certification Application (ORCA) should be current and updated to include the applicable NAICS Code 236210.

Question 3 Overview: Reference Appendix A –Data Sheets. We are a Supplier of many of the Valves, Regulators & Piping Components listed in the Data Sheets. In reviewing the Data Sheets there are some discrepancies between the "Model" listed and the "Operating Temperature" listed. It is impractical to list each "Designator" number where these discrepancies occur, due to large number of "Designator" numbers that would have to be listed.

We are asking for direction for resolving these discrepancies. For example:

Question 3.1: Check Valves:

All the US Para Plate/APCO check valves are listed as:

Model 3505BB-\*\* (\*=Tube size) This calls out a 350500 Series valve with Buna N Seat O'ring and Seals. Buna N seals are not compatible for cryogenic temperatures.

Many of the Data Sheets with this part number listed also list the "Operating Temperature" as -420 F or -289 F. There are many variations of the 3505 check valve. There are variations that would be compatible with any of "Fluids" and Operating Temperatures called out on the Data Sheets, but we are looking for NASA's direction on which ones to offer to contractors bidding this project.

We can (a) use our experience to choose the correct variation; (b) NASA can direct a particular variation to use by Fluid type & Operating Temperature; or (c) quote the Model listed. Some of the other variations available/used at Stennis are:

3505-3050 Series; 3505-4410 Series, 3505-4425 Series, etc..

Answer 3.1: Buna-N should not be used in the cryogenic service. The preferred material for the seals is PTFE (polytetrafluoroethylene) and the seats is PCTFE (polymonochlorotrifluoroethylene). In all areas the temperature for components in Liquid Hydrogen service the temperature is -420°F and for valves in Liquid Oxygen and Liquid Nitrogen service the temperature should be -320°F. All data sheets included in the specification have different application as listed. Manufacturers identified have the capability of meeting the requirements specified, provided they are configured properly. All manufacturers meeting the specification requirements will be considered. We can not recommend the particular component to use only that it must meet the specification requirements. Each offeror is responsible for ensuring their proposed products meet the specified requirements in the solicitation.

Question 3.2: Check Valves US Para Plate/APCO

The "Model" listed is not complete, the DATA Sheet(s) list the "INLET CONNECTION" and "OUTLET CONNECTION" as MS Tube. Should these be MS Male 37 Deg Flare (ie MS33656) or MS Female Boss (ie MS33649) connections?

Answer 3.2: For all data sheets containing check valves, change the inlet and outlet connections to read AS5202. The drawings should identify the configuration for either male or female requirements.

Question 3.3: Manual Valve - Isolation/Configuration Alta-Robbins valves

We have a similar low temperature situation on the Alta-Robbins valves.

Alta-Robbins does NOT manufacture a Cryogenic valve. Alta-Robbins is listed on many Data Sheets for Cryogenic fluids and gases at cryogenic temperatures("Operating Temperature").

Alta-Robbins can supply valves for gaseous service with temperatures down to -65 degrees F.. Should we quote the Alta-Robbins valves when the Data Sheet reflects that the "Fluid" is gaseous and -65 degrees F or higher?

Should we quote the US Para Plate/APCO 5040/5080 series valve for Cryogenic "Fluids"(LOX & LH2) and for gaseous services colder than -65 F., as listed on the individual Data Sheet(s)?

Answer 3.3: For the use that these Alta-Robbins valves have been recommended, they are the correct valve, since these valves generally are used for system purges and a check valve is in place between the cryogenic fluids and the valve location.

6. The closing date and time for receipt of offers, identified in block 13 A. of the SF1442 is remains unchanged at **Sep 09, 2008 at 3:00PM local time.**

7. All other terms and conditions remain the same.

ATTACHMENT C

General Decision Number: MS080161 08/22/2008 MS161

State: Mississippi

Construction Type: Building

County: Hancock County in Mississippi.

BUILDING CONSTRUCTION PROJECTS (Does not include residential construction consisting of single family homes and apartments up to and including 4 stories)

Modification Number	Publication Date
0	08/22/2008

ELEC0903-002 06/01/2008

	Rates	Fringes
Electrician (including the low voltage wiring for and installation of temperature controls for HVAC systems).....	\$ 22.40	6.69

IRON0058-009 06/01/2008

	Rates	Fringes
IRONWORKER, Structural and Ornamental (Excluding Metal Building Assembly/Erection).....	\$ 19.40	6.82

PLUM0568-001 05/01/2008

	Rates	Fringes
PLUMBER (including HVAC pipe)....	\$ 22.75	7.52

SUMS2008-045 07/07/2008

	Rates	Fringes
BRICKLAYER.....	\$ 22.00	0.02
CARPENTER, Including Acoustical Ceiling Installation, Cabinet Installation, Drywall Hanging and Form Work.....	\$ 13.93	0.00
CEMENT MASON/CONCRETE FINISHER...	\$ 10.57	0.00
GLAZIER.....	\$ 10.00	0.00

IRONWORKER, REINFORCING.....	\$ 13.00	0.00
IRONWORKER, Structural (Metal Building Assembly) Erection Only.....	\$ 11.90	0.00
LABORER: Common or General.....	\$ 8.51	0.00
LABORER: Mason Tender - Brick...	\$ 10.00	0.00
OPERATOR: Blade/Grader, Including Finishing.....	\$ 12.50	1.57
OPERATOR: Backhoe.....	\$ 15.58	1.62
OPERATOR: Bulldozer.....	\$ 13.50	0.00
OPERATOR: Crane.....	\$ 16.73	0.92
OPERATOR: Excavator.....	\$ 11.33	0.00
OPERATOR: Forklift.....	\$ 11.17	0.00
OPERATOR: Trackhoe.....	\$ 14.50	0.00
PAINTER (Brush, Roller and Spray).....	\$ 12.75	0.00
PIPEFITTER, Excluding HVAC Pipe Installation.....	\$ 21.83	0.00
ROOFER.....	\$ 14.50	0.00
SHEETMETAL WORKER, Including HVAC Duct Installation.....	\$ 16.52	0.00
TRUCK DRIVER.....	\$ 11.00	0.00

WELDERS - Receive rate prescribed for craft performing  
operation to which welding is incidental.

Unlisted classifications needed for work not included within  
the scope of the classifications listed may be added after award only as  
provided in the labor standards contract clauses (29 CFR 5.5(a)(1)(ii)).

In the listing above, the "SU" designation means that rates  
listed under the identifier do not reflect collectively bargained wage  
and fringe benefit rates. Other designations indicate unions whose  
rates have been determined to be prevailing.

## WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- \* an existing published wage determination
- \* a survey underlying a wage determination
- \* a Wage and Hour Division letter setting forth a position on a wage determination matter
- \* a conformance (additional classification and rate) ruling On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations  
Wage and Hour Division  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

END OF GENERAL DECISION